

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

ALLEN S. MEREDITH,

Plaintiff,

v.

R. FLORES,

Defendant.

3:14-cv-314-RCJ-WGC

ORDER

I. DISCUSSION

On October 6, 2014, this Court issued a screening order permitting Plaintiff's excessive force claim to proceed but dismissed Plaintiff's due process claim with prejudice. (ECF No. 6 at 7). The Court stayed the case for 90 days to give the parties an opportunity to settle their dispute. (*Id.* at 7-8). On October 20, 2014, Plaintiff filed a motion to voluntarily dismiss his case because it is duplicative of case no. 3:13-cv-654-RCJ-WGC. (ECF No. 8 at 1). According to Plaintiff, the Court had dismissed the 654 case without prejudice and directed Plaintiff to file a new complaint in a new action, the 314 case. (*Id.*). However, after Plaintiff filed the complaint in the 314 case, the Court reopened the 654 case that was proceeding on the same complaint. (*Id.*). The Court now grants Plaintiff's motion to voluntarily dismiss this case.

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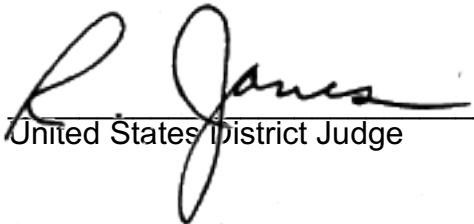
1 **II. CONCLUSION**

2 For the foregoing reasons, IT IS ORDERED that the application to proceed *in forma*
3 *pauperis* (ECF No. 4) is denied as moot.

4 IT IS FURTHER ORDERED that Plaintiff's motion to voluntarily dismiss this case (ECF
5 No. 8) is granted. This case is dismissed in its entirety, without prejudice.

6 The Clerk of the Court shall enter judgment accordingly.

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8 Dated: This 23rd day of October, 2014.

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11 United States District Judge
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